CLAYTON P. BRUST, ESQ. - NSB #5234 1 cbrust@rssblaw.com 2 THERESE M. SHANKS, ESQ.- NSB #12890 tshanks@rssblaw.com Robison, Sharp, Sullivan & Brust 3 71 Washington Street 4 Reno, Nevada 89503 Telephone: (775) 329-3151 5 Attorney for Plaintiffs 6 UNITED STATES DISTRICT COURT 7 DISTRICT OF NEVADA 8 9 THOMAS BAXTER, ELLIE BAXTER and Case No.: 3:18-cv-00388-LRH-CBC 10 THOMAS BAXTER, JR., as the heirs of NISA BAXTER; and THOMAS BAXTER 11 JR., as the Personal Representative of the Estate of NISA BAXTER. 12 **NOTICE OF PENDING** Plaintiffs. 13 SETTLEMENT: REQUEST TO **VACATE CASE MANAGEMENT** 14 VS. CONFERENCE 15 LAKE MICHIGAN DISTILLING COMPANY, LLC, a Foreign Limited Liability Company, 16 GLYCERIN TRADERS, a Foreign Limited Liability Company, COLBY ZEEDYK, an 17 individual, DENNIS ZEEDYK, an individual, 18 DANIELLE BENJAMIN, an individual, and DOES I-X, inclusive, 19 Defendants. 20 GLYCERIN TRADERS, LLC. 21 Third-Party Plaintiffs, 22 VS. 23 24 RESOURCE MARKETING SERVICES, LLC. d/b/a RESOURRCE MARKETING 25 SERVICE, INC., 26 Third-Party Defendant. 27 28

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NOTICE OF PENDING SETTLEMENT; REQUEST TO VACATE CASE MANAGEMENT CONFERENCE

This notice is to inform the Court that on April 23, 2019, the Plaintiffs and Defendants agreed to terms of a settlement. Plaintiffs and Defendants are actively drafting a settlement agreement, which will require dismissal of all claims between Plaintiffs and Defendants in this matter. Plaintiffs and Defendants expect to file such dismissal within the next 21 days.

In light of the pending settlement, the Plaintiffs and Defendants have agreed, and respectfully request, that the Plaintiffs' opposition to Defendants' motions to dismiss [48/49] be stayed and the case management conference scheduled for May 6, 2019 be vacated.

Neither this Notice nor the settlement concern the Third Party Complaint filed by Glycerin Traders, LLC against Resource Marketing Services, LLC [40].

Dated this 24th day of April, 2019.

Dated this 24th day of April, 2018.

/s/ Clayton P. Brust

Clayton P. Brust, Esq. Therese Shanks, Esq.

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Attorneys for Defendants

<u>ORDER</u>

IT IS SO ORDERED.

Dated this 25 day of Apr

2019.

United States Madistrate Judge